IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,	CR 10-51–GF–DLC
Plaintiff,	
vs.	ORDER
CARTER ROY LONGTREE,	
Defendant.	

This case was referred to United States Magistrate Judge Keith Strong for a revocation hearing and findings and recommendations. Judge Strong entered findings and recommendations on August 26, 2013. Defendant admitted he had violated Standard Condition 7 by consuming methamphetamine. Judge Strong found the admission sufficient to establish the supervised release violation. He recommended that this Court revoke Defendant's supervised release and commit him to the custody of the United States Bureau of Prisons for a term of imprisonment of 3 months, to be followed by 57 months of supervised release.
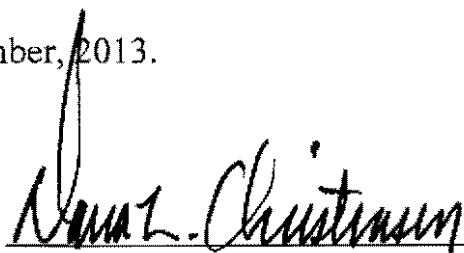
No objections were filed by either party. Judge Strong's findings and

recommendations are therefore reviewed for clear error. *McDonnell Douglas Corp. Commodore Bus. Mach, Inc.*, 656 F.2d 1309, 1319 (9th Cir. 1981).

This Court agrees with Judge Strong's findings. Defendant admitted that he violated Standard Condition 7. Defendant could be imprisoned up to 36 months, followed by 60 months of supervised release, less any custodial time imposed. The United States Sentencing Guidelines call for a term of imprisonment of 3 to 9 months. A sentence of 3 months in custody, which is at the low end of the guideline range, is appropriate because this was Defendant's first violation and it appears that no other person was harmed by the violation. A 57 month period of supervised release, beginning with 6 months in a pre-release center, is appropriate because it will provide Defendant the support and structure needed to address his substance abuse problem.

IT IS ORDERED that Judge Strong's Findings and Recommendations (doc. 39) are ADOPTED in full and Judgment shall be entered accordingly.

Dated this **25th** day of September, 2013.

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Dana L. Christensen, Chief Judge
United States District Court